

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

DORY'ON MASON,

Plaintiff,

VS.

STATE OF MISSOURI, *et al.*,

Defendants.

Case No. 1:24-cv-00039-MTS

## MEMORANDUM AND ORDER

This matter is before the Court on review of Plaintiff Dory'on Mason's Application to Proceed in District Court Without Prepaying Fees or Costs. Doc. [2]. For the reasons explained herein, the Court will deny the Application without prejudice and provide Plaintiff forty-five days within which to pay the filing fee.

\* \* \*

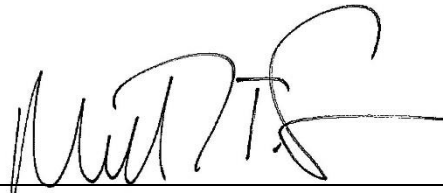
Congress has mandated that the Clerk of this Court—like the clerk of any federal district court—require a litigant seeking an application for a writ of habeas corpus to pay a five dollar (\$5.00) filing fee. 28 U.S.C. § 1914(a), (b). Congress also has provided district courts with the power to “authorize the commencement” of any suit, action, or proceeding without the prepayment of fees if a filer is “unable to pay such fees or give security therefor” and files an affidavit stating the filer’s assets, his or her inability to pay, and the nature of the action. *See id.* § 1915(a)(1). Plaintiff’s filings do not show that he is unable to pay the modest five dollar filing fee.

The Court will provide Plaintiff forty-five days within which to pay the \$5.00 filing fee in its entirety. Failure to timely prepay the entire filing fee will result in the dismissal of this action without prejudice and without further notice.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs, Doc. [2], is **DENIED** without prejudice. Plaintiff is given through **Monday, May 20, 2024**, within which to pay the five dollar (\$5.00) filing fee. Failure to do so will result in the dismissal of this action.

Dated this 5th day of April 2024.



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MATTHEW T. SCHELP  
UNITED STATES DISTRICT JUDGE